THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.24384 of 2005

Date:16.11.2005

Gollavilli Venkatarao.

--------PETITIONER

The Government of the State of Andhra Pradesh and others.

---------RESPONDENTS

ORDER:

The Special Deputy Tahsildar, Tribal Welfare, Gangavaram Mandal, East Godavari District, initiated proceedings against the petitioner and certain others, under the provisions of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970, before the Special Deputy Collector, Tribal Welfare, Rampachodavaram, in L.T.R.P.No.53 of 1999, alleging that they are not entitled to remain in possession of the land referred to therein. They contested the same and ultimately, the Special Deputy Collector directed the eviction of the petitioner and others. Aggrieved thereby, the petitioner along with others filed C.M.A.No.33 of 2004 before the 2nd respondent. The appeal was rejected on merits. They filed a revision before the 1st respondent, together with an application for stay, against the order in the C.M.A. The grievance of the petitioner is that the 1st respondent has not passed any orders so far in the application for stay, and that in the meanwhile, the 3rd respondent is taking steps to evict him and others. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The petitioner along with others availed the remedy of revision before the 1st respondent, aggrieved by the orders passed by the Special Deputy Collector and confirmed by the 2nd respondent. Unless the interests of the petitioner are protected, during the pendency of the revision, he is evicted in the meanwhile, nothing remains to be decided in the revision.

Hence, the Writ Petition is disposed of, directing that the order in L.T.R.P.No.53 of 1999, on the file of the 2nd respondent, shall remain stayed, till the revision filed by the petitioner and others before the 1st respondent is decided. The revision shall be disposed of as early as possible. There shall be no order as to costs.

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16.11.2005

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